

this writ of *fieri facias* was sent from Baltimore to Anne Arundel by consent; yet no such consent of *The Cape Sable Company* could give jurisdiction to a court, where none such was given but in a prescribed manner. That at the March term, in the year 1822, of the Baltimore County Court, these defendants *Luke W. Barber, Thomas Barber, George Slye, and Samuel C. Love* severally obtained judgments against *The Cape Sable Company*; upon each of which judgments writs of *fieri facias* were issued and returned *nulla bona* to the September term of that year of the same court. After which, on the 22d of January, 1823, writs of *fieri facias* issued on the same judgments to the sheriff of Anne Arundel; which were returned *nulla bona* to the April term of the same year of the court of that county. That no further or other process was issued thereon until the first day of June, 1824; when, by consent, without any *scire facias* to revive them, writs of *fieri facias* were taken out from Anne Arundel County Court on each of them, and levied upon all the property of *The Cape Sable Company*; which was advertised to be sold on the same day appointed for the sale under *Oliver's* execution; that all four of these last mentioned judgments had been satisfied by money advanced by the defendant *Carroll* to the defendant *Harper*, who afterwards assigned them to the defendant as a security for the money so lent and advanced by him; that on the 4th of June, 1824, after the property of *The Cape Sable Company* had been actually taken in execution and advertised for sale, actions of debt on these same judgments were docketed by consent, and judgments confessed thereon in Baltimore County Court for the use of the defendant *Carroll*; that although these latter judgments may be void; yet the property of the *The Cape Sable Company*, in which these plaintiffs have so large an interest, cannot be thus subjected at law to a double execution for the same debts; and that the sole object of all these proceedings has been to deprive these plaintiffs of their rights, and to exclude them from all connexion with *The Cape Sable Company* as legal and equitable stockholders therein. Whereupon the bill prayed for an injunction to stay the proceedings at law, &c. Which was granted accordingly.

*Richard Caton*, by his answer to this bill, admitted that the proceedings at law had been had as stated; but averred, that they were all *bona fide*, and that there was no fraudulent intention on the part of any of the defendants, &c. The defendants *Robert G. Harper* and *The Cape Sable Company* answered to the same effect,